



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Street address: 629 East Main Street, Richmond, Virginia 23219

Mailing address: P.O. Box 1105, Richmond, Virginia 23218

Fax (804) 698-4500 TDD (804) 698-4021

www.deq.virginia.gov

L. Preston Bryant, Jr.
Secretary of Natural Resources

David K. Paylor
Director

(804) 698-4000
1-800-592-5482

Public Notice – Environmental Regulation

Notice of action: The State Water Control Board is considering the amendment of a regulation on water quality. A regulation is a general rule governing people's rights or conduct that is upheld by a state agency.

Regulation name: Water Quality Standards

Purpose of notice: The board is seeking comments through the Department of Environmental Quality on 1) the proposal 2) the costs and benefits of the proposal 3) effects of the proposal on farm and forest land preservation and 4) impacts on small businesses.

Public comment period: March 31, 2008 to May 30, 2008

Public hearing:

Department of Environmental Quality West Central Regional Office, Conference Room 600 in Roanoke, 3019 Peters Creek Road, on May 1, 2008 at 7:00 p.m.

Department of Environmental Quality Piedmont Regional Office, Training Room in Glen Allen, 4949-A Cox Road, on May 2, 2008 at 10:00 a.m.

Department of Environmental Quality Tidewater Regional Office, Combined Conference Rooms 1, 2, and 3, Virginia Beach, 5636 Southern Blvd., on May 8, 2008 at 7 p.m.

A question and answer period will be held one half hour prior to the beginning of the public hearing at each location.

The board will hold a formal hearing at a time and place to be established, if a petition for such a hearing is received and granted. Affected persons may petition for a formal hearing concerning the legal validity of the proposed action. Petitions must meet the requirements of Title 9, Agency 25, Chapter 230 of the Virginia Administrative Code and must be received by the DEQ contact person by April 30, 2008.

Public comment stage: Notice of Public Comment

Description of proposed regulation: The most important changes to the water quality standards are a narrative criterion to recognize that certain waters in the Commonwealth are naturally low in dissolved oxygen and pH (swamp waters), two proposed bacteria criteria options (one criterion calculated using a risk level of 0.8 and one calculated using risk level 1.0), updates to the toxics criteria, and special standards updates to reflect site specific conditions. There are changes in many other sections of the

regulation during this review. These include the updates to the Chesapeake Bay nutrient related criteria, updates to stream classifications in the river basin section tables, deletions of sections that are unused or no longer needed and miscellaneous updates and clarifications.

Federal information: The federal Clean Water Act at 303(c) mandates the State Water Control Board to review and, as appropriate, modify and adopt water quality standards. The corresponding federal water quality standards regulation at 40 CFR 131.6 describes the minimum requirements for water quality standards. The minimum requirements are use designations, water quality criteria to protect the designated uses and an antidegradation policy. The citation mentioned describes mandates for water quality standards. The proposed amendments do not exceed federal minimum requirements.

Locality particularly affected

Counties: Alleghany, Amelia, Bath, Caroline, Charles City, Charlotte, Chesterfield, Dinwiddie, Essex, Frederick, Halifax, Hanover, Henrico, Isle of Wight, King George, King & Queen, King William, Mecklenburg, New Kent, Nottoway, Roanoke, Rockingham, Rockbridge, Richmond, Shenandoah, Southampton, Stafford, Westmoreland

Towns: Branchville, Blackstone, Burkeville, Clarkesville, Crewe, Montross,

Cities: Chesapeake, Lexington, Roanoke, Salem, Suffolk

How to comment: The DEQ accepts written comments by e-mail, fax and postal mail. All written comments must include the full name, address and telephone number of the person commenting and be received by DEQ by 5 p.m. on the last day of the comment period. Both oral and written comments are accepted at the public meeting. DEQ prefers the submittal of written comments, including a copy of supporting documents or exhibits. All testimony, exhibits and documents received are part of the public record.

How a decision is made: After comments have been considered, the board will make the final decision. Citizens that submit statements during the comment period may address the board members during the board meeting at which a final decision is made on the proposal.

To review regulation documents: The proposal and an analysis conducted by DEQ (including a statement of purpose, a statement of estimated impacts and benefits of the proposed regulation, an estimate of the impact of the proposed regulation upon small businesses, identification of and comparison with federal requirements, and a discussion of alternative approaches), are available on the Town Hall web site at www.townhall.virginia.gov and by contacting the DEQ representative named below. The public may review the documents at the following location: DEQ Central Office, 629 East Main Street, Richmond, Virginia, Room 1129.

Contact for public comments, document requests and additional information:

Jean Gregory; Department of Environmental Quality, P.O. Box 1105, Richmond, VA 23218;
Phone: (804) 698-4113; E-mail: jwgregory@deq.virginia.gov; Fax: (804) 698-4116